

BILL NO. S-67-04- 20

SPECIAL ORDINANCE NO. S- 459-17

AN ORDINANCE authorizing the sale of certain real estate located north of Smith Field and owned by the City of Fort Wayne, Indiana.

WHEREAS, the City of Fort Wayne is the owner of certain real estate located North of Smith Field in Allen County, Indiana, said real estate being more particularly described as follows:

Part of the East half of the Southwest quarter of Section 11, Township 31 North, Range 12 East in Allen County, State of Indiana, described as follows, to-wit: Beginning at the Southwest corner of the East half of the Southwest quarter of Section 11, Township 31 North, Range 12 East; thence North 25 minutes East 2673.3 feet along the West line of the said East half of the Southwest quarter of Section 11, Township 31 North, Range 12 East to the North line of said quarter Section; thence North 89 degrees 17 minutes East 1191.0 feet along said line to the Westerly right of way line of the Lake Shore & Michigan Southern Railroad Company; thence South 2687.5 feet along said West right of way line to the South line of the said Quarter Section; thence West 1217.5 feet along said line to the place of beginning, containing 74.10 acres of land, more or less.

WHEREAS, said real estate is presently under the jurisdiction of the Board of Aviation Commissioners of said City; and

WHEREAS, said Board has determined that it will be to the best interest of the City of Fort Wayne, to grant and sell said real estate in fee simple, the sale price thereof to be a sum in cash not less than the full appraised value thereof as determined by the appraiser herein below provided, said appraisers to be appointed in the manner required by law prior to the sale

of Municipal lands, and provided further, that such grant and sale be made for a sum not less than such appraised value;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Mayor of the City of Fort Wayne and the Board of Aviation Commissioners of said City be, and they hereby are authorized and directed in the name of and for and in behalf of said City to sell the real estate described above in fee simple, the sale price thereof to be a sum in cash not less than the full appraised value thereof as determined by the appraisers hereinbelow provided, and the instrument granting and conveying said real estate to contain and be subject to such other terms and conditions as said Board of Aviation Commissioners shall consider necessary or advisable in the best interests of said City.

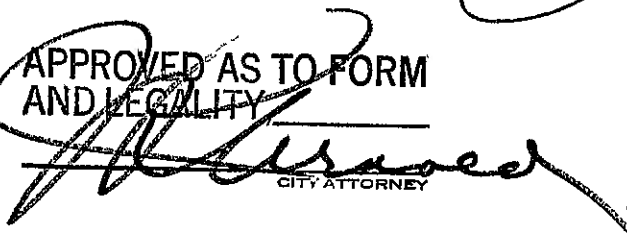
SECTION 2. That upon full payment of the purchase price of said real estate to the City, the Mayor and the said Board of Aviation Commissioners, in the name of and for and in behalf of said City, shall be, and they hereby are, authorized and directed to execute and deliver an instrument granting and conveying said above described real estate in fee simple. The signature of the Mayor on such instrument shall be attested by the City Clerk of the City of Fort Wayne, and accompanied by the seal of said City.

SECTION 3. That the Judge of the Allen Circuit Court be, and he hereby is, requested to appoint three (3) disinterested freeholders of the City of Fort Wayne to appraise and determine the value of the above described real estate with a view to the sale of same, and prior to such appraisement, the Board of Aviation Commissioners shall advise said appraisers of the terms and conditions to be included in the instrument of conveyance which said Board considers necessary or advisable in the best interests of said City.

SECTION 4. That this Ordinance shall be and constitute sufficient authority for the Mayor, the Board of Aviation Commissioners, and the City Clerk of the City of Fort Wayne, Indiana, to effect the sale, grant and conveyance of said above described real estate in fee simple, subject to the provisions hereinabove set out and to do all things incidental thereto or necessary therefor.

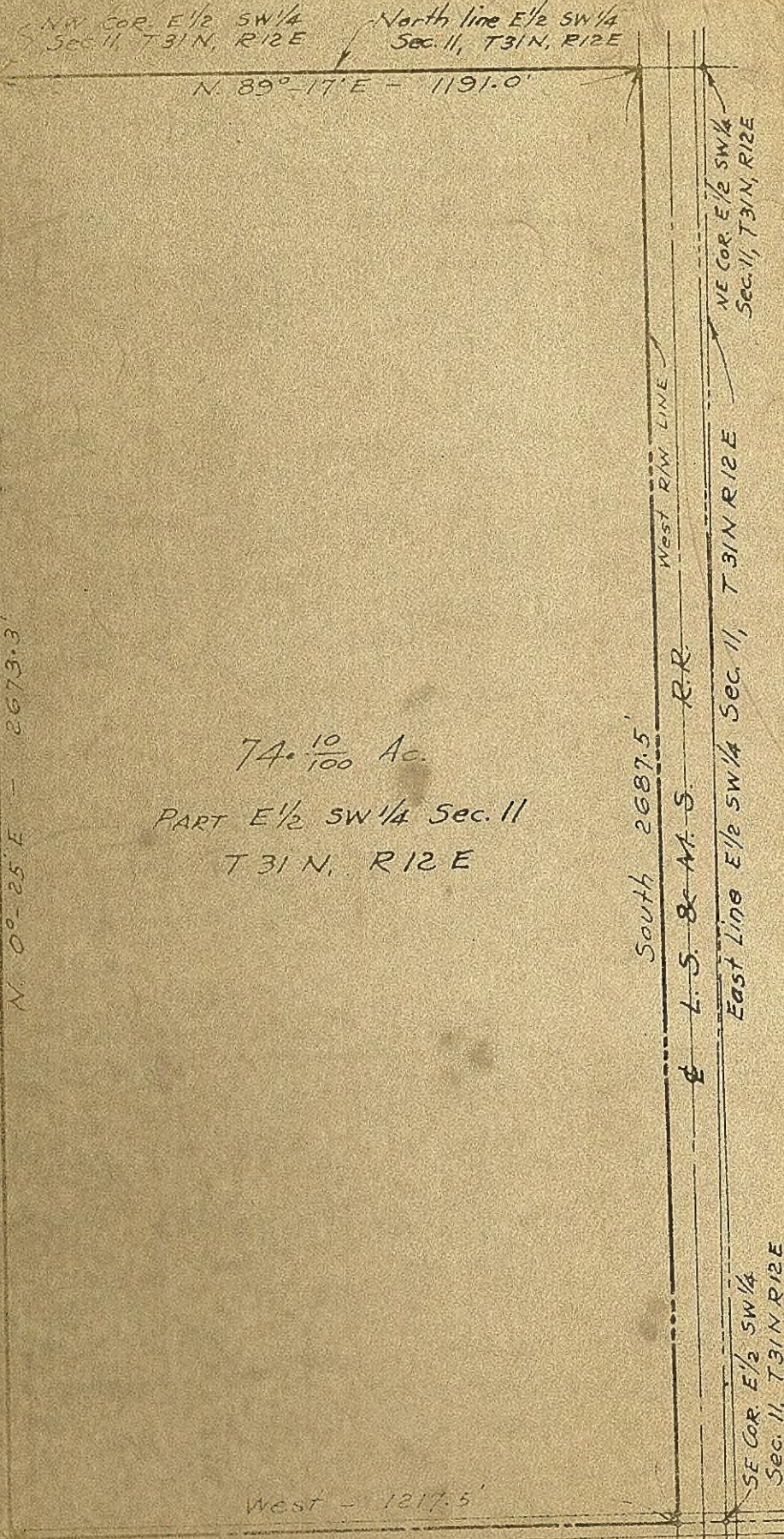
SECTION 5. This Ordinance shall be in full force and effect on and after its passage and approval by the Mayor.

APPROVED AS TO FORM
AND LEGALITY


CITY ATTORNEY

OFFICE OF
H. K. GOTTSCHALK
 REGISTERED PROFESSIONAL CIVIL ENGINEER
 FORT WAYNE, INDIANA

The undersigned Civil Engineer, registered as provided by an Act of the 72nd General Assembly of the State of Indiana, hereby certifies that he has made a resurvey of the real estate depicted and described below. Measurements were made in feet and decimals and the corners were perpetuated as shown, in conformity with the plat and deed record thereof in the office of the Recorder of Allen County, Indiana. No encroachment existed, except as noted. The description of the real estate is as follows, to wit:



Part of the East half of the Southwest quarter of Section 11, Township 31 North, Range 12 East in Allen County State of Indiana, described as follows, to wit: Beginning at the Southwest corner of the East half of the Southwest quarter of Section 11, Township 31 North, Range 12 East; thence North 25 minutes East 2673.3 feet along the West line of the said East half of the Southwest quarter of Section 11, Township 31 North, Range 12 East to the North line of said quarter Section; thence North 89 degrees 17 minutes East 1191.0 feet along said line to the westerly right of way line of the Lake Shore & Michigan Southern Railroad Company; thence South 2687.5 feet along said West right of way line to the South line of the said quarter Section; thence West 1217.5 feet along said line to the place of beginning, containing 74.10 acres of land, more or less.

74.10/100 Ac.

PART E 1/2 SW 1/4 Sec. 11
 T 31 N, R 12 E

COOK ROAD

S. line E 1/2 SW 1/4 Sec. 11, T 31 N, R 12 E
 9112
 Fort Wayne Aviation Commission
 J. M. Ross, Manager

Scale
 1" = 300'

H. K. Gottschalk

Witness my hand and seal this 10th day of September 1934

Bill No. S-67-04-20

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance
authorizing the sale of certain real estate located north of Smith Field and
owned by the City of Fort Wayne, Indiana,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

JOHN H. ROBINSON, Chairman

JACK K. DUNIFON, Vice-Chairman

WILLIAM T. HINGA

JOHN NUCKOLS

PHIL A. STEIGERWALD.

John H. Robinson
Jack K. Dunifon
William T. Hinga
John Nuckols
Phil A. Steigerwald

CONCURRED IN

DATE 5-7-67 WALTER C. MEYERS, CITY CLERK

Read the first time in full and on motion by Robinson seconded by Heep and duly adopted, read the second time by title and referred to the (Committee on) Finance (and to the City Planning Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____, 196____, at _____ o'clock ~~P.M., E.S.T.~~

Date: 4/25/67 Malvin C. Meyer
CITY CLERK

Read the third time in full and on motion by Robinson seconded by Heep and duly adopted, placed on its passage. Passed (MOST) by the following vote:

AYES 8, NAYS 0, ABSTAINED _____, ABSENT 1 to-wit:

Buchanan	<u>/</u>	<u>/</u>	<u>/</u>
Dunifon	<u>/</u>	<u>/</u>	<u>/</u>
Fay	<u>/</u>	<u>/</u>	<u>/</u>
Hinga	<u>/</u>	<u>/</u>	<u>/</u>
Nuckols	<u>/</u>	<u>/</u>	<u>/</u>
Robinson	<u>/</u>	<u>/</u>	<u>/</u>
Rousseau	<u>/</u>	<u>/</u>	<u>/</u>
Steigerwald	<u>/</u>	<u>/</u>	<u>/</u>
Tipton	<u>/</u>	<u>/</u>	<u>/</u>

Date 5-9-67 Malvin C. Meyer
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map)(General)(Annexation)(Special)(Appropriation) Ordinance (Resolution) No. S-459-67 on the 9 day of May, 1967.

ATTEST: (SEAL) Malvin C. Meyer Edgar J. Rousseau
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of May, 1967 at the hour of 18:00 o'clock A.M., E.S.T. Malvin C. Meyer
CITY CLERK

Approved and signed by me this 18th day of May, 1967, at the hour of 3:20 o'clock P.M., E.S.T. Harold S. Zeis
MAYOR